

## **II. REMARKS**

### **A. STATUS SUMMARY**

Claims 3, 5-14 and 17-43 are pending in the present application. Claims 27-33 are withdrawn from consideration as being directed to non-elected subject matter, claims 3, 5-14, and 17-43 presently stand rejected. With this amendment, claim 24 has been cancelled and claims 3, 5-14, 17-23, 25-26, and 34-43 have been amended.

### **B. CLAIM REJECTIONS**

Claims 3, 5-14, 17-22, 34-43 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 5-11, 13, 14, 17-21, 23, 25, 26, and 34-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (U.S. Pat. No. 6,132,069).

Claims 12, 22, 24 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Tchilinguirian (US Pat. No. 6,588,543).

### **C. REJECTION UNDER 35 U.S.C. 112(¶2)**

Claims 3, 5-14, 17-22, 34-43 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, with regards to claims 3 and 14, the Examiner asserts that the phrase “the arm member movably coupled to the shaft” is vague and indefinite, and with regards to claim 13 that the phrase “the arm member coupled to the shaft” is also vague and indefinite, because the arm is allegedly NOT coupled to the shaft, but rather is pivotally coupled to the interface section 138. Applicants respectfully disagree.

According to the specification, “The shaft 114 may be positioned through an opening 116 at the top of the recess 110 such that the shaft 114 extends downward into the recess 110 to engage the mounting clip 112.” (Specification at [0028]). The specification also refers to the “shaft 114 on which the mounting clip 112 is mounted.” (Specification at [0030]). Because the arm member (mounting clip) 112 is mounted on the shaft 114, the arm member is “coupled to” the shaft. Moreover, the arm member 112 may move rearward along the shaft 114 in response to rotating the shaft 114 in a given direction. (Specification at [0032]). Thus, even if the arm member is not directly attached to the shaft, the arm member may nevertheless be “movably” coupled to the shaft.

Accordingly, because the claims are neither vague nor indefinite, it is respectfully requested that this rejection be withdrawn.

**D. CLAIM REJECTION UNDER 35 U.S.C. §102**

Claims 3, 5-11, 13, 14, 17-21, 23, 25, 26, and 34-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (U.S. Pat. No. 6,132,069). Applicants respectfully disagree.

Sato discloses an embedded type lighting device formed by assembling a light body to a light body mounting based to be mounted to a fitting face. (Sato Abstract). As amended, each of claims 3, 5-11, 13, 14, 17-21, 23, 25, 26, and 34-42 recite a loudspeaker system. As admitted by the Examiner, Sato does not disclose that the housing is part of a speaker. (November 13, 2006 Office Action at p. 4). Thus, these claims are not anticipated by Sato.

**E. CLAIM REJECTION UNDER 35 U.S.C. §103**

Claims 12, 22, 24 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Tchilinguirian (US Pat. No. 6,588,543). Claim 24 of has now been deleted, making this rejection moot as to claim 24. Claims 12, 22 and 43 are all dependent claims that

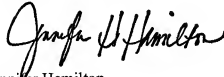
dependent from allowable independent claims, as set forth in Section D above. Thus, Claims 12, 22 and 43 are allowable over the prior art.

### III. CONCLUSION

Applicant respectfully submits that in view of the above Remarks, the pending claims are in condition for allowance, and an early notice to such effect is earnestly solicited. If any small matter should remain outstanding after the Examiner has had an opportunity to review the above Remarks, then the Examiner is invited to telephone the undersigned patent attorney to resolve these matters and avoid the issuance of another Office Action.

The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to our Deposit Account No. 50-2542. An additional signature page for use in connection with the deposit account follows.

Respectfully submitted,



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